

REMARKS

The above amendments are made in response to the Non-Final Office action of November 12, 2009. The Examiner's reconsideration is respectfully requested in view of the above amendment and the following remarks.

Claims 1-4 are withdrawn from further consideration as being drawn to a nonelected species, leaving claims 5-14 for further consideration.

Claim 5 has been amended and claims 8-14 have been canceled. Claims 5-7 remain pending in the present application. Support for the amendment to claim 5 may be found at least in the FIGS. and description thereof in the application as filed, and specifically in canceled claim 10. No new matter has been added.

Rejections Under 35 U.S.C. § 103

In order for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). See MPEP 2143.

Claims 5-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ben-David et al. (U.S. Patent Application Publication No. 2008/0192178, hereinafter "Ben-David") in view of Elliott et al. (U.S. Patent Application Publication No. 2005/0088385, hereinafter "Elliott"). The Examiner states that Ben-David in view of Elliott teaches all the limitations of claims 5-14. In particular, the Examiner states that Ben-David discloses all of the elements of the abovementioned claims except for that the entire edge of the first pair of subpixels is enclosed by the second pair of subpixels and the third pair of subpixels, which the Examiner alleges is disclosed in FIG. 13 of Elliott.

First, it is respectfully noted that claims 8-14 have been canceled rendering any rejection thereto moot.

In the specification of the present invention, it is described that when cyan and yellow pixels are added to red, green and blue pixels, color reproducibility is improved but a magenta pixel is not effective to improve color reproducibility. Accordingly, adding a white pixel instead of the magenta pixel is helpful for increasing luminance. **(See FIGS. 11-12 and paragraphs [108] – [110] of the specification)** Amended claim 5 recites this idea which was recited in, now canceled claim 10.

The Examiner rejects claim 10 with an allegation on pages 6-7 of the Detailed Action that since the prior art offered only six choices of subpixel colors to replace - R, G, B, C, M or Y – one of ordinary skilled in the art could have pursued the known potential solutions/replacements with a reasonable expectation of success. However, the inventive idea, replacing one of R, G, B, C, M or Y with W, itself is not disclosed or suggested in the references. The Examiner alleges on page 6 of the Detailed Action that Elliott “discloses the replacement of one subpixel of a six subpixel repeat cell or pixel being replaced with a white element (see for example Fig. 13 items 1320 and 1323 and paragraphs [0084]-[0085]).”

However, Elliot merely discloses either R, G, B or R, G, B, W repeat cell arrangements in FIG. 13 of Elliott relied upon by the Examiner. (See paragraphs [0074]-[0089]). There is no disclosure of C, M or Y subpixels, never mind using a W subpixel instead of an M subpixel as claimed. Furthermore, there is no disclosure of using a W subpixel in place of either an R, G, or B subpixel, and thus no disclosure of replacing one of the six subpixels (R, G., B) with a white element as suggested by the Examiner. At most, Elliott merely discloses RGB or RGBW six subpixel repeat cell arrangements in FIG.. 13 of Elliot relied upon by the Examiner.

Accordingly, it is respectfully submitted that one of ordinary skilled in the art would not think to try the replacement, nevertheless using the white pixel instead of the magenta pixel, as recited in amended independent claim 5.

More specifically, independent claim 5 has been amended to recite that “wherein the first-color and the second-color subpixels have complementary relation and wherein a group consisting of the first-color subpixels include red green, and blue subpixels and a

group consisting of the second-color subpixels include cyan, **white**, and yellow subpixels” in order to differentiate the present invention from Ben-David in view of Elliott.

Thus, it is respectfully submitted that amended independent claim 5 is believed to be patentably distinct and patentable over Ben-David in view of Elliott.

Claims 6 and 7 depend from amended independent claim 5, which is being submitted as being allowable for defining over Ben-David in view of Elliott as discussed above. Furthermore, it is respectfully submitted that use of each subpixel in the first pair of subpixels is triangular, and the first pair of subpixels form a diamond or use of a boundary between the first pair of subpixels extending in a row or column direction allegedly disclosed in Elliott, or any other disclosure of Elliot, does not cure the deficiencies noted above with respect to Ben-David.

Thus, Applicants submit that neither Ben-David nor Elliot, either alone or in combination, render obvious the subject matter of amended claim 5. Claims 6 and 7 depend from amended claim 5, and thus includes the allowable elements of amended claim 5. It is thus believed that the dependent claims are patentable over the cited references for at least the reasons given above for amended independent claims 5 and 11.

Accordingly, it is respectfully submitted that the claimed invention is allowable over the cited references. The Examiner’s withdrawal of the rejection of claims 5-14, and their subsequent allowance is respectfully requested.

Conclusion

In light of the above remarks, the present application including claims 5-7 are believed to be in condition for allowance.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejections. If there are any charges due with respect to this response, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys.

Respectfully submitted,

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Date: February 16, 2010